

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

Robert Carlton,

Plaintiff,

v.

Union Pacific Railroad Co.,

Defendant.

Case No. 8:23-cv-211-BCB-SMB

**DECLARATION OF
CAITLIN L. OPPERMAN**

I, Caitlin L. Opperman, under oath state and declare as follows:

1. I am an attorney at the law firm of Nichols Kaster, PLLP, in Minneapolis, Minnesota. I am one of the attorneys representing Plaintiff Robert Carlton in the above-captioned matter.

2. I submit this declaration in opposition to Defendant Union Pacific Railroad Co.'s Motion to Dismiss (ECF No. 6).

3. Attached hereto are true and correct copies of the following exhibits:

Exhibit 1: Plaintiff's Memorandum of Law in Support of Motion for Class Certification, *Harris v. Union Pacific R.R. Co.*, No. 8:16-cv-381-JFB-SMB (D. Neb.), ECF No. 249.

Exhibit 2: Opening Brief for Appellant Union Pacific Railroad Company, *Harris v. Union Pacific R.R. Co.*, No. 19-1514 (8th Cir. Apr. 25, 2019).

Exhibit 3: Reply Brief for Appellant Union Pacific Railroad Company, *Harris v. Union Pacific R.R. Co.*, No. 19-1514 (8th Cir. July 16, 2019).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Date: July 6, 2023

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** Admitted in D. Neb.*

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF systems, and such filing was sent electronically using the same CM/ECF system to all parties for whom counsel has entered an appearance.

Dated: July 6, 2023

s/Caitlin L. Opperman
Caitlin L. Opperman